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AT 8:30 \_\_\_\_\_ M  
WILLIAM T. WALSH CLERK

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

OTSUKA PHARMACEUTICAL CO., LTD.,

Plaintiff,

v.

TEVA PHARMACEUTICALS USA, INC., and  
TEVA PHARMACEUTICAL INDUSTRIES  
LTD.,

Defendants.

Civil Action Nos.: 08-1583 (MLC)  
and 09-5531 (MLC)

**STIPULATION OF DISMISSAL UNDER FED. R. CIV. P. 41(a)(1)(A)(ii)**

IT IS HEREBY STIPULATED AND AGREED, by and between the parties, through their undersigned counsel of record, that pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii):

1. The above-captioned actions are voluntarily dismissed without prejudice; and
2. Each party shall bear its own costs and attorneys' fees.

**IT IS SO STIPULATED:**

**Date:** \_\_\_\_\_

/s/ John F. Brenner

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**SO ORDERED:**

This 7<sup>th</sup> day of Nov., 2013

Mary L. Cooper  
HONORABLE Mary L. Cooper  
UNITED STATES DISTRICT JUDGE